

**Introduced by Senator Burton**

March 3, 2004

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An act to add Section 56135.5 to the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1895, as introduced, Burton. Special education.

Existing law sets forth a method for providing special education and related services to pupils who are individuals with exceptional needs. Existing law requires the Superintendent of Public Instruction to administer the special education provisions of the Education Code and to be responsible for assuring provision of, and supervising, education and related services to individuals with exceptional needs as required pursuant to the federal Individuals with Disabilities Education Act.

This bill would provide that the Superintendent of Public Instruction and the Secretary of Health and Welfare are jointly responsible for ensuring maximum utilization of all state and federal resources that are available to provide a child with a disability with a free appropriate public education, the provision of related services, and designated instruction and services. The bill would also require the Superintendent of Public Instruction to ensure that the special education provisions are carried out through monitoring and supervision.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 56135.5 is added to the Education Code,  
2 to read:

- 1     56135.5. (a) The superintendent and the Secretary of Health  
2     and Welfare are jointly responsible for ensuring maximum  
3     utilization of all state and federal resources that are available to  
4     provide a child with a disability, as defined in paragraph (3) of  
5     Section 1401 of Title 20 of the United States Code, with a free  
6     appropriate public education, the provision of related services, as  
7     defined in paragraph (22) of Section 1401 of Title 20 of the United  
8     States Code, and designated instruction and services, as defined in  
9     Section 56363.
- 10    (b) The superintendent shall ensure that this part is carried out  
11    through monitoring and supervision.

